

Message Text

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TAGS: SHUM ECOSOC

SUBJECT: HUMAN RIGHTS COMMISSION - GENERAL STATEMENT ON
ECOSOC RESOLUTION 1503 PROCEDURES

1. AT TWO MEETINGS FEBURARY 12 HRC SCHEDULED TO
CONSIDER ITEM 6(B) RELATING TO THE REPORT OF THE AD HOC
WORKING GROUP OF EXPERTS. FOLLOWING THIS THE CHAIRMAN
HAS, IN RESPONSE TO REQUEST OF SEVERAL HRC MEMBERS,
SCHEDULED A GENERAL PRELIMINARY DEBATE ON ITEM 6(A).
GENERAL DEBATE INTENDED AS PUBLIC DISCUSSION OF ECOSOC
RESOLUTION 1503 PURPOSES AND PROCEDURES BEFORE CASES WILL
BE TAKEN UP IN PRIVATE SESSION AS PROVIDED RES. 1503.

2. US DEL HAS PREPARED FOLLOWING STATEMENT TO BE
DELIVERED IN GENERAL PUBLIC DEBATE. WE HOPE TO BE IN A
POSITION TO GIVE STATREMENT AT A.M. MEETING FEBURARY 13.
WOULD APPRECIATE ANY DEPARTMENT COMMENTS BEFORE THAT
TIME. STATEMENT FOLLOWS:

QTE. MR. CHAIRMAN, MY DELEGATION HAS BEEN AMONG
THOSE THAT FAVORED A PRELIMINARY GENERAL DISCUSSION TO
BE HELD IN PUBLIC SESSION WITH RESPECT TO THE PROCEDURES
WHICH HAVE BEEN PROVIDED IN ECONOMIC AND SOCIAL COUNCIL
RESOLUTION 1503. WE THINK SUCH A GENERAL DISCUSSION
ABOUT THESE PROCEDURES, OMITTING OF COURSE ANY REFER-
ENCE TO THE PARTICULAR CASES TO BE CONSIDERED,
CAN BE USEFUL AS A WHOLE ABOUT THE WAY IN WHICH WE SHOULD

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PROCEED TO IMPLEMENT THEM.

MY DELEGATION BELIEVES THAT THE EXECUTIVE SESSIONS WE ARE ABOUT TO EMBARK UPON MAY WELL CONSTITUTE A LANDMARK IN THE HISTORY OF THE HUMAN RIGHTS COMMISSION. PERHAPS THE GREATEST DIFFICULTY WHICH THE HUMAN RIGHTS COMMISSION LABORS UNDER IN ITS DELICATE AND DIFFICULT TASKS IS THE PROPENSITY OF SOVERIGN NATIONS TO BE FULLY - IF NOT FURIOUSLY - AWARE OF THE SHORT-COMING OF OTHER COUNTRIES RELATING TO HUMAN RIGHTS - BUT TO REMAIN BLITHELY UNCONSCIOUS TO THEIR OWN DELIQUENCIES. THERE SEEMS TO BE AN OVERWHELMING TENDENCY BY MOST GOVERNMENTS TO EXPRESS CONCERN ONLY WHEN HUMAN RIGHTS VIOLATIONS OCCUR ELSEWHERE- AND TO INVOKE "DOMESTIC JURISDICTION" AS A BARRIER TO EXAMINATION OF VIOLATIONS WITHIN THEIR OWN BOUNDARIES. UNDER THE PROCEDURES LAID DOWN IN ECONOMIC AND SOCIAL COUNCIL RESOLUTION 1503 (XLVIII) NATION STATES WILL NOW HAVE THE OPPORTUNITY TO CAST THEIR GAZE INWARDS - TO RECOGNIZE SUCH HUMAN RIGHTS VIOLATIONS AS OCCUR ON A GROSS AND CONSISTENT BASIS WITHIN THEIR OWN BOUNDARIES - AND TO ASCERTAIN THE DEGREE OF INTERNATIONAL CONCERN WITH REGARD TO THESE MATTERS. AND THIS INTERNATIONAL CONCERN IS JUSTIFIED. IT IS JUSTIFIED IF THE EXISTENCE OF THE HUMAN RIGHTS COMMISSION IS JUSTIFIED - OR THAT OF THE UNITED NATIONS ITSELF. CLAIMS THAT ABASEMENT OF MAN, THE CRUELITIES OR OPPRESSIONS INFLICTED UPON HIM, ARE MATTERS FOR INTERNAL CONCERN ONLY ARE NOT APPROPRIATE ON THE PART OF NATIONS SUBSCRIBING TO THE UNITED NATIONS CHARTER. AND THIS APPLIES TO OPPRESSIONS RANGING FROM UNJUSTIFIED IMPRISONMENT AND RESTRICTIONS ON FREEDOM OF SPEECH, OF MOVEMENT, OF IDEAS, ALL THE WAY UP TO THAT MOST EGREGIOUS OF ALL VIOLATIONS - APARTHEID. WHAT IS THE PURPOSE OF THE HUMAN RIGHTS COMMISSION IF THIS IS NOT THE CASE? UNDER THE 1503 PROCEDURES WE DO NOT SIT AS A COURT TO PASS JUDGEMENTS ON GOVERNMENTS OR TO APPORTION BLAME. OUR ROLE IS TO FIND THE BEST WAY TO HELP PROMOTE AND PROTECT HUMAN RIGHTS. WE HOPE THAT THE ATTITUDE BETWEEN THIS COMMISSION AND THE GOVERNMENTS INVOLVED IN THE SEPARATE CASES WHICH WILL BE BEFORE US WILL BE LIMITED OFFICIAL USE

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ONE OF COOPERATIVE UNDERSTANDING, WITH A SHARED CONCERN FOR THE GOOD OF THE HUMAN BEINGS INVOLVED, MOTIVATED BY A COMMON DESIRE TO FIND A WAY TO IMPROVE SITUATIONS WITH RESPECT TO WHICH THE EVIDENCE APPEARS TO REVEAL "A CONSISTENT PATTERN OF GROSS AND RELIABLY ATTESTED VIOLATIONS OF HUMAN RIGHTS." LAST YEAR WE FOUND OURSELVES - WHEN WE SET OUT TO IMPLEMENT 1503 - BESET BY TACTICS WHICH DELAYED - IN

MANY CASES I BELIEVE INTENTIONALLY, OUR PROCEEDINGS TO THE POINT WHERE TIME RAN OUT ON US. WE HAD NO CHANCE TO EXAMINE ANY INDIVIDUAL CASES. THE THRUST OF THESE TACTICS WAS TO SEEK TO REFINE, CLARIFY AND AMEND THE PROCEDURES HERE IN QUESTION BEFORE WE IMPLEMENTED THEM.

MR. CHAIRMAN, THIS COULD BE AN ENDLESS PROCESS. NO RULES, NO REGULATIONS CAN EVER BECOME COMPLETELY SATISFACTORY TO ALL MANKIND. ON OF THE MOST EFFECTIVE INSTRUMENTS OF GOVERNMENT THAT I KNOW OF, THE CONSTITUTION OF THE UNITED STATES, NOW ALMOST TWO HUNDRED YEARS OLD, STILL NEEDS AMENDMENT FROM TIME TO TIME - AND RECEIVES CONSTANT INTERPRETATION BY OUR SUPREME COURT.

MR. CHAIRMAN, THE ONLY WAY TO REFINE AND IMPROVE OUR 1503 PROCEDURES- OR FOR THAT MATTER ANY OTHER PROCEDURES - IS BY USING THEM. THEN OUT OF THE FIRES OF EXPERIENCE WILL COME PURIFICATION ACCOMPANIED BY INCREASING EFFECTIVENESS.

AND ALSO MR. CHAIRMAN MY DELEGATION TRUSTS THAT WE WILL GO INTO THE FORTHCOMING EXECUTIVE SESSION PREPARED TO DEAL WITH ALL DELIBERATE SPEED WITH THE INDIVIDUAL CASES THAT HAVE SO PAINSTAKINGLY BEEN PLACED BEFORE US BY OUR SUBCOMMISSION AND OUR WORKING GROUP - WHOSE LABORS DESERVE OUR MAXIMUM APPRECIATION. WE MUST DO THIS OBJECTIVELY AND WITHOUT REGARD TO POLITICAL OR OUTSIDE CONSIDERATIONS.

MR. CHAIRMAN, I RECENTLY READ AN ARTICLE WRITTEN BY A STAUNCH SUPPORTER- MIND YOU A SUPPORTER (UNDERSCORED) - OF THE UNITED NATIONS THAT STATED THAT THE MOST UNIVERSAL THING ABOUT THE UNIVERSAL DECLARATION OF HUMAN RIGHTS WAS THE UNIVERSAL YAWN IT PRODUCED. A SHOCKING STATEMENT. BUT EVEN MORE SHOCKING BECAUSE OF THE LIMITED OFFICIAL USE

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DEGREE TO WHICH IT MAY BE TRUE. MANY PEOPLE ALL OVER THE WORLD THINK THAT THE GLITTERING PRINCIPLES OF THE DECLARATION ARE JUST NOT ENFORCED - JUST NOT IMPLEMENTED - AND THEREFORE ARE DOOMED TO DIE ON THE VINE. THE 1503 PROCEDURES ARE THE MAJOR DEVICE WE CURRENTLY HAVE AT HAND TO RECTIFY THIS SITUATION - TO RESTORE FAITH IN THE HUMAN RIGHTS COMMISSION - AND TO PROMOTE THE RIGHTS AND DIGNITY OF MANKIND. I TRUST, MR. CHAIRMAN, THAT WE SHALL HAVE THIS IN MIND WHEN WE APPROACH OUR PROBLEMS IN OUR EXECUTIVE SESSIONS. END QUOTE. DALE

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